

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

UNITED STATES DISTRICT COURT

for the

MIDDLE District of PENNSYLVANIA

____ Division

Case No.

1:18-CV-849
(to be filled in by the Clerk's Office)KERLIN J. BELL

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Jury Trial: (check one) ☐ Yes ☐ NoFILED
SCRANTON

APR 19 2018

BUREAU OFFICER - SLOCUM

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

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COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

KERLIN J. BELL

Street Address

FCC - ALLENWOOD, P.O. BOX 2000

City and County

WHITEDEER, UNION COUNTY

State and Zip Code

PENNSYLVANIA, 17887

Telephone Number

N/A

E-mail Address

N/A

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

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Defendant No. 1

Name BUREAU OFFICER - SLOCUM
Job or Title (if known) CORRECTIONAL OFFICER
Street Address P.O. BOX 2000
City and County WHITEDEER, UNION COUNTY
State and Zip Code PENNSYLVANIA, 17887
Telephone Number UNKNOWN
E-mail Address (if known) UNKNOWN

Defendant No. 2

Name _____
Job or Title (if known) _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address (if known) _____

Defendant No. 3

Name _____
Job or Title (if known) _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address (if known) _____

Defendant No. 4

Name _____
Job or Title (if known) _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address (if known) _____

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)



Federal question



Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

TITLE 18 U.S.C.S 242 - DEPRIVATION OF RIGHTS UNDER COLOR OF LAW.

TITLE 18 U.S.C.S 245 - FEDERALLY PROTECTED ACTIVITY(IES).

VIOLATIONS OF THE FIRST AMENDMENT AND EIGHTH AMENDMENT RIGHTS.

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name) KERLIN J. BELLUT, is a citizen of the
State of (name) DOMINICA, FWI.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated
under the laws of the State of (name) _____,
and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, (name) _____, is a citizen of
the State of (name) _____. Or is a citizen of
(foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

1. WILLFUL DENIAL OF EQUAL EMPLOYMENT OPPORTUNITY. BASED ON ME BEING AN WHEN I HAVE PRIOR EXPERIENCE DUE TO BEING CERTIFIED IN JOB POSITION.
2. AFTER FILING GRIEVANCE ON MATTER IN MAY OF 2017, WHILE THIS OFFICER - SLOCUM WORKED THE HOUSING UNIT ON 2-9-17 HE RETALIATED BY THROWING ALL MY PERSONAL ITEMS OUT MY LOCKER ON THE FLOOR AND LEFT THEM THERE.
3. ON 3-17-18, I RECEIVED A RETALIATORY INCIDENT REPORT WHICH HE ADVISED ME OF ON 3-22-18, REVIEW CAMERA'S IN "SPECIAL HOUSING UNIT" AT APPROX 2:45-2:50 PM IN CELL 202.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages. FEDERAL EMPLOYEES ARE HELD LIABLE FOR THEIR ACTIONS UNDER § 1983. MONETARY DAMAGES: ACTUAL DAMAGES, NOMINAL DAMAGES, AND PUNITIVE DAMAGES.

1. I AM SUFFERING FROM RETALIATORY ACT(S) COMMITTED BY STAFF AND HIS CO-WORKERS, CURRENTLY I AM IN THE "SPECIAL HOUSING UNIT" RESULTING FROM A FALSE INCIDENT RPT. AS OF 3-17-18. \$ 5,000 FOR EIGHTH AMENDMENT VIOLATION.
2. MONETARY DAMAGES, FOR WAGES LOST THAT WOULD HAVE BEEN ALLOCATED - PAID IF I WOULDN'T HAVE BEEN DISCRIMINATED UPON FOR A JOB POSITION PREVIOUSLY HELD AT USP-ATLANTA & FCI-PHOENIX. JOB POSITION AND MY LONGEVITY DETERMINES THAT ALLONG WITH OVERTIME. AN ESTIMATE OF 250 - 400\$ X 6 MONTHS, \$ 2,400. FR: JUNE TO DECEMBER. Page 4 of 5
3. BUREAU STAFF WILLFULLY DISREGARDED THE REPRISAL POLICY, THE FIRST AMENDMENT, EIGHTH AMENDMENT, AND MY CIVIL RIGHTS. WHEN COMMITTING HIS ACTS AGAINST ME. BEFORE AND AFTER I FILED A GRIEVANCE AGAINST HIM, OFC - SLOCUM, CLAIMING CONSTITUTIONAL VIOLATIONS.

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4. RETALIATION CLAIMS. CLAIMS THAT OFFICIALS RETALIATED AGAINST PRISONERS WHO BROUGHT OR TRIED TO BRING LEGAL ACTIONS. UNCONSTITUTIONAL RETALIATION MAY BE REMEDIED BY AN INJUNCTION OR BY AN AWARD OF DAMAGES. FOR THE GRIEVANCE I FILED ON THE MATTER OF JOB DISCRIMINATION ON 5-4-17. I WAS SUBJECTED TO RETALIATION BY OFC-SLOCUM ON 2-9-18 WHILE WORKING THE UNIT. AFTER FILING A SEPARATE GRIEVANCE ON RETALIATION INVOLVING THE 2-9-18 INCIDENT. ON 3-17-18, DURING AN INSTITUTION LOCKDOWN I WAS FALSELY ACCUSED RECEIVED A INCIDENT RPT AND TAKEN TO "SHU" ON 3-22-18 OFC-SLOCUM CAME TO "SHU" CELL 202 AND STATED: I TOLD YOU I'D GET CHA F**KING A** CALLED ME A SHITHOLE AND WALKED AWAY LAUGHING. I AM ENTITLED TO MONETARY DAMAGES DUE TO PATTERN OF RETALIATION.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 4/16/18

Signature of Plaintiff

Printed Name of Plaintiff

Bellot Kerlin
BELLUT KERLIN

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address